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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BILLINGS DIVISION

UNITED STATES OF AMERICA,)	Cause No. CV-12-151-BLG-RFC-CSO
)	
Plaintiff,)	
)	
vs.)	
)	
REAL PROPERTY LOCATED IN)	CLAIMANTS' BRIEF IN
HUNTINGTON BEACH,)	SUPPORT OF RENEWED
CALIFORNIA,)	UNOPPOSED MOTION TO STAY
)	PROCEEDINGS
)	
Defendant.)	

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COME NOW, Claimants German Coppola, Pablo Coppola, Glenda Coppola
and Romina Coppola, and for his brief in support of his Unopposed Motion to Stay
Proceedings, states as follows.

The Government in this case has alleged as a predicate for forfeiting the Huntington Beach house that the house was used for criminal activity and the Claimants' names have been mentioned as involved. The Complaint, at ¶ 8, states as follows:

At the time of the execution of a search warrant on November 8, 2011 at the subject property, evidence was found that Coppola was operating the current money service business, Trade Wings, from the defendant property. On December 13, 2011, soon after the search was conducted German Coppola transferred the subject property to his father, Pablo Osvaldo Coppola. On that same date Pablo Coppola in turn transferred the subject property to German Coppola's siblings, Romina Coppola, Bernardo Coppola, and Glenda Coppola.

Verified Complaint for Forfeiture *in Rem*, ¶ 8, pp. 6-7.

Each of the Claimants appears to either be a target of, or has not been ruled out as a plausible target for criminal prosecution for money laundering. Although it is clear that the government has a single major target at this time, all Claimants would be well advised to assert their Fifth Amendment rights until the investigation is over. The Government has used in the past conspiracy, 18 USC § 371; aiding and abetting, 18 USC § 2; and misprision of felony, 18 USC § 4 charges against persons with tangential involvement in alleged criminal enterprises.

The Claimants, in the strongest terms, deny any wrongdoing in this matter,

but each of them has the right, and has chosen to exercise the right against self incrimination at this time. 18 U.S.C. § 981(g)(2) provides as follows:

(2) Upon the motion of a claimant, the court shall stay the civil forfeiture proceeding with respect to that claimant if the court determines that—

(A) the claimant is the subject of a related criminal investigation or case;

(B) the claimant has standing to assert a claim in the civil forfeiture proceeding; and

(C) continuation of the forfeiture proceeding will burden the right of the claimant against self-incrimination in the related investigation or case.

18 U.S.C. § 981(g)(2).

With respect to whether the Claimants are subject to a related criminal investigation, the Claimants can only take the Government's word for it. As to standing – each of the Claimants have asserted by Verified Claim a right to the property. Making factual assertions beyond that would necessarily involve waiving the privilege. It is clear that continuation of the forfeiture proceeding will burden the Claimants' rights against self-incrimination.

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DATED this 6th day of May, 2013.

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/s/ Mark D. Parker

By:

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CERTIFICATE OF COMPLIANCE

Pursuant to Rule 11 of the Montana Rules of Appellate Procedure, I certify that the foregoing brief is printed with a proportionately-spaced, Times New Roman typeface of 14 points; is double spaced; WordPerfect 9.0 for Windows, and is 474 words, excluding certificate of service and certificate of compliance.

/s/ Mark D. Parker

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